

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**COLOMBO CANDY & TOBACCO
WHOLESALE CO., d/b/a Colombo
Distribution,**

Plaintiff,

vs.

**AMERISTAR CASINO
COUNCIL BLUFFS, INC.,**

Defendant.

Case No. 8:13CV148

ORDER OF RECUSAL

This matter is before the court on the court's own motion pursuant to 28 U.S.C. § 455(a), which states: "Any . . . judge . . . of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." Upon review of the parties and the complaint filed in the above-designated case, the undersigned judge shall, and hereby does, recuse himself from the above-designated case pursuant to 28 U.S.C. § 455(a).

IT IS SO ORDERED.

Dated this 10th day of May 2013.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge